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William Scott Koziel, a resident of Greenville, filed suit on September 26, 2017 against the City of Greenville and the Pitt County Board of Education. The case number is 17 CVS 2411. The purpose of the suit is to declare unconstitutional the red light camera civil citation program soon to be implemented by the City of Greenville in conjunction with the Board of Education.

The suit claims:

The program "relates to health." The justification for the program is that it supposedly promotes traffic safety by reducing T-bone crashes which cause broken bones and other physical injuries, impacting the health of the motoring public. But the North Carolina Constitution prohibits "local laws" "relating to health." Article II, Section 24 (1)(a).

Article IX Section 7 of the Constitution as implemented by GS 115C-437, provides that 90% of gross proceeds of all civil penalties, forfeitures and fines must go to the counties for exclusive use in the public schools. The Greenville/Pitt County program is structured so that the schools do not get their mandatory share.

The third claim is not unique to Greenville. It also applies to Raleigh, Wilmington and Fayetteville that also have red light camera civil citation enforcement. The yellow light intervals are too short. The equation used by the North Carolina Department of Transportation significantly shorts the length of the yellow light interval because it misuses an equation, thus violating the laws of physics which are in effect everywhere. Laws of physics cannot be changed by local laws, state statutes or even court decision.

As a consequence the majority of drivers who will receive citations are actually innocent. These drivers can not reasonably avoid breaking the law (prohibiting entry into an intersection when the light is red) even if they are traveling within the speed limit and intend to follow the law and take reasonable steps to comply. Because this faulty equation is systemic to the program it violates several provisions of Article I, the Declaration of Rights, of the State Constitution, and it violates the immutable laws of physics--science principles upon which federal and state engineering practice laws are based.

For further information contact please contact Paul Stam.